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INFO RUCNFUR/DARFUR COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE

UNCLAS SECTION 01 OF 03 KHARTOUM 000306

AIDAC

DEPT FOR AF A A/S CARTER, AF/SPG, AF/C
ADDIS ABABA FOR USAU
DEPT PLS PASS USAID FOR AFR/SUDAN
DEPT FOR AF/SPG, S/CRS, PRM, AF
NSC FOR MGAVIN AND HUDSON
ADDIS ABABA ALSO FOR USAU
DEPT PLS PASS USAID FOR AFR/SP, USAID/W DCHA SUDAN

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [EAID](#) [ASEC](#) [PGOV](#) [PREL](#) [KPKO](#) [SOCI](#) [AU](#) [UNSC](#) [SU](#)
SUBJECT: SUDAN RESPONDS TO ICC WARRANT BY EJECTING NGOS

REF: KHARTOUM 299

¶1. (SBU) Summary: Immediately following the ICC's announcement of the arrest warrant for President Bashir on March 4, the Government of National Unity (GNU) Humanitarian Aid Commission (HAC) ordered 10 non-governmental organizations (NGOs) to depart Sudan within 24 hours. At least three additional organizations were expelled March

¶5. According to the U.N. Humanitarian Coordinator, the Sudanese government has terminated the agencies' humanitarian operations and cancelled the organizations' registrations. The UN estimates that the decision to shut down the operation of the NGOs will reduce the capacity to deliver humanitarian assistance to vulnerable populations in Darfur by 70 percent. CDA Fernandez called multiple GOS officials March 4 in an attempt to reverse the decision and the UN plans to make interventions March 5. However, President Bashir publicly embraced the expulsions during his first major public rally in the capital March 5. News of the decision to expel the NGOs was slow to reach Darfur, and the IDP camps remained quiet as of the morning of March 5, but this may change rapidly when there is a reduction in services at the camps. The expulsion of the NGOs is the only major step taken thus far by the GOS in response to the ICC announcement. As of March 5 there has been little violence in response to the ICC decision other than some rocks thrown at the UK embassy the evening of March 4. Predictably, GOS officials including President Bashir have denounced the ICC arrest warrant as a Western plot and have refused to cooperate with the court. End summary.

¶2. (SBU) On March 4, the International Criminal Court (ICC) issued an international arrest warrant for Sudanese President Omar al-Bashir on seven counts of war crimes and crimes against humanity in Sudan's Darfur region. The ICC accused Bashir of sanctioning the actions of government forces backed by Arab militias that committed atrocities against the civilian population of Darfur. The warrant did not include a charge of genocide requested by prosecutors; however, ICC officials indicated that if the prosecution gathers additional evidence, the ICC could amend the case to include a genocide charge. Bashir is the first sitting head of state to be indicted and the most senior figure pursued by the court in the Hague since the court's inception in 2002.

¶3. (SBU) Within 30 minutes of the ICC announcement, the GNU HAC ordered Action Contre la Faim (ACF), CARE International, CHF International, the International Rescue Committee (IRC), Mercy Corps, Mdecins Sans Frontieres/Holland (MSF/H), the Norwegian Refugee Council (NRC), Oxfam International, Save the Children/United Kingdom (SC/UK), and Solidarits to depart Sudan within 24 hours. (Note: On March 5, HAC also ordered SAVE USA, MSF France, and PADCO AECOM to depart Sudan. Endnote.) According to the U.N.

Humanitarian Coordinator, the Sudanese government has terminated the agencies' humanitarian operations and cancelled the organizations' registrations. Mercy Corps was ordered by the government to cease all operations immediately, and the organization has told its teams working in Southern Kordofan, Blue Nile and Abyei to temporarily halt programs until they are able to get clarification from Juba SSRRC on how the revocation of the HAC registration affects SSRRC registration, and what implications this may have in the former SPLM-held territories in Southern Kordofan (Kauda) and Blue Nile (Kurmuk) as well as programs in Southern Sudan. (Note: Based on past experience accessing the Three Areas from South Sudan, NGOs may be able to access areas where the SPLA or JIUs are in control. Senior SPLM officials have reassured the Embassy that all NGO programs in the South will continue. End note.)

14. (SBU) According to the NGOs, the GNU HAC summoned each partner's Country Director to the GNU HAC office in Khartoum. At the meeting, GNU HAC officials presented each NGO representative with a letter in Arabic, which gave notice of the ejection without formal explanation or cause. Following the meeting, GNU HAC officials escorted the partners to the NGOs offices to develop a list of program assets to be surrendered immediately to the GNU HAC. As of March 4 at 2300 hours local time, the GNU HAC was allowing NGO Country Directors to remain in Sudan pending the finalization of program close-out. CHF informed OFDA that GNU authorities are holding the passport of CHF International's Country Director and requiring him to remain in Sudan until the program close-out is completed. Among other things, the government is demanding that CHF pay six-months severance pay, per Sudanese law, to staff members. However, the government is demanding that CHF turn over the money for severance pay to the government, which in turn will allegedly pay it out to the local staff. On March 5, USAID Office of Transition Initiatives partner

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PADCO-AECOM was given a letter signed by HAC informing them that their country registration has been revoked. All assets will be seized, and all expatriate staff must depart the country. No timeframe for departure of staff was given, however it is assumed to be immediate. PADCO-AECOM is the primary implementing partner of USAID's support for CPA implementation in northern Sudan, including civic and voter education in Khartoum and peace dividends in the Three Areas.

15. (SBU) In addition to expelling the humanitarian agencies, GNU security officials are seizing all program assets. Mercy Corps reported that the National Intelligence and Security Service (NISS) seized two Mercy Corps vehicles parked at the UNAMID team site in Mukjar, West Darfur. IRC received a notice that the GNU HAC had suspended/frozen IRC's bank accounts in South Darfur due to the closure of the IRC's programs in the state. In recent days, GNU HAC officials have targeted IRC, asserting that the organization transported Sudanese nationals to the ICC to serve as witnesses to the court. (NOTE: IRC firmly denies involvement in any ICC-related activities. END NOTE.) At 1900 hours local time March 4, humanitarian staff reported that Sudanese military officials accompanied some relief staff to their offices in preparation for the organizations' impending departure from Khartoum. At 2300 hours, GNU security officials entered the IRC compound in Nyala, South Darfur, removing all program assets from the facility. In addition, `s of late March \$,NFO tcff repgrte vquthe GNWQh!dQekmdw]grf